Exhibit H

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

LARA W. SWINDLE,)
Plaintiff,)
v.)) CASE 2:09-CV-01458-SLB
JEFFERSON COUNTY COMMISSION) N;)
et al.)
Defendants.)

<u>DEFENDANT MIKE HALE'S</u> MOTION FOR SUMMARY JUDGMENT

COMES NOW Defendant Mike Hale, in his official capacity as Sheriff of Jefferson County, Alabama ("Sheriff Hale"), and moves for summary judgment in the above-stated matter. There is no genuine issue of material fact and Sheriff Hale is entitled to judgment as a matter of law. In support of this motion, Sheriff Hale files simultaneously herewith his Brief in Support of his Motion for Summary Judgment and related exhibits.

WHEREFORE, PREMISES CONSIDERED, Defendant Sheriff Mike Hale respectfully moves this Honorable Court to grant his Motion for Summary Judgment.

Respectfully submitted,

/s/ Jay Murrill
Robert R. Riley, Jr. (ASB-0909-168A)
Keith Jackson (ASB-7519-J66B)
Jay Murrill (ASB-4329-A57M)
Attorneys for Defendant Sheriff Hale

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that this 31st day of May, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Ann Robertson, Esq. Wiggins, Childs, Quinn & Pantazis, LLC The Kress Building 301 – 19th Street, North Birmingham, AL 35203

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/s/ Jay Murrill
OF COUNSEL